

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Paul N. Muret et al. Art Unit : 2156
Patent No. : 7,610,289 Examiner : Kuen S. Lu
Issue Date : October 27, 2009 Conf. No. : 9985
Serial No. : 10/799,738
Filed : March 15, 2004
Title : SYSTEM AND METHOD FOR MONITORING AND ANALYZING INTERNET
TRAFFIC

Commissioner for Patents
P.O. Box 1450
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LETTER REGARDING PATENT TERM ADJUSTMENT

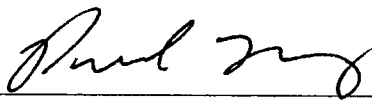
The Patent Term Adjustment (PTA) calculation included in the Issue Notification mailed October 7, 2009, for the above-referenced patent indicates the PTA is 612 days. This PTA appears to be longer than appropriate.

With regard to the Office's calculation of pendency of more than three years, in good faith and candor, Patentees direct the Office's attention to the period during which the application was under appeal, which appears not to have been considered in this calculation. See 37 C.F.R. §§ 1.703(b)(4) and 1.703(b)(4). Further, Patentees note the period during which the application was abandoned, for which no Applicant Delay was assessed.

Patentees believe that no fee is due at this time. Any fees that may be due, however, may be applied to Deposit Account No. 06-1050.

Respectfully submitted,

Date: December 18 2009



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CERTIFICATE OF MAILING BY EFS-WEB FILING

I hereby certify that this paper was filed with the Patent and Trademark Office using the EFS-WEB system on this date: December 18, 2009